

INSTRUMENT PREPARED BY
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE
OF VIRGINIA SECTION 45.1-361.26

V I R G I N I A:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT:	CNX Gas Company LLC)	VIRGINIA GAS
)	AND OIL BOARD
RELIEF SOUGHT:	(1) ESTABLISHMENT OF THE)	
	BUCANANAN NO.1 SGU3)	
	1,474.57-ACRE SEALED GOB PRODUCTION)	
	UNIT DEPICTED IN EXHIBIT AA HERETO)	DOCKET NO.
	(herein "Subject Unit"))	VGOB-11-0215-2911
	PURSUANT TO VA. CODE § 45.1-361.20;)	
	(2) POOLING OF INTERESTS IN)	
	SUBJECT UNIT PURSUANT TO)	
	VA. CODE § 45.1-361.22, FOR THE)	
	PRODUCTION OF SEALED)	
	COALBED METHANE GOB GAS FROM)	
	DE-STRESSED FORMATIONS ASSOCIATED)	
	WITH FULL-SEAM MINING OF COAL)	
	(herein referred to as " GOB Gas ";)	
	and (3) DESIGNATE THE APPLICANT)	
	AS THE UNIT OPERATOR FOR THE)	
	SUBJECT UNIT.)	
LEGAL DESCRIPTION:)	
)	
	SUBJECT UNIT AS DEPICTED ON EXHIBIT AA)	
	HERETO AND MORE SPECIFICALLY DESCRIBED IN)	
	PARAGRAPH 6.1, BELOW ("Subject Lands"):)	
	KEEN MOUNTAIN & JEWELL RIDGE QUADRANGLES,)	
	GARDEN MAGISTERIAL DISTRICT)	
	BUCHANAN COUNTY, VIRGINIA)	

REPORT OF THE BOARD

FINDINGS AND ORDER

1. Hearing Date and Place: This matter came for final hearing before the Virginia Gas and Oil board (hereafter "Board") at 9:00 a.m. on **February 15, 2011** at the at the Russell County Conference Center, Lebanon, Virginia.

2. Appearances: **Mark Swartz, Esq.**, appeared for the Applicant. Sharon M. B. Pigeon of the Office of Attorney General was present to advise the Board.

3. Jurisdiction and Notice: Pursuant to Va. Code §§45.1-361.1 et seq., the Board finds that it has jurisdiction over the subject matter. Based upon the evidence presented by Applicant, the Board also finds that the Applicant has (1) exercised due diligence in conducting a meaningful search of reasonably available sources to determine the identity and whereabouts of

each gas and oil owner, coal owner, or mineral owner and/or potential owner, i.e., person identified by Applicant as having ("Owner") or claiming ("Claimant") the rights to Coalbed Methane Gas in all Pennsylvania-aged coals below the Tiller Seam, including the Upper Seaboard, Greasy Creek, Middle Seaboard, Lower Seaboard, Upper Horsepen, Middle Horsepen, War Creek, Lower Horsepen, Pocahontas No. 9, Pocahontas No. 8, Pocahontas No. 7, Pocahontas No. 6, Pocahontas No. 5, Pocahontas No. 4, Pocahontas No. 3, Pocahontas No. 2 and various unnamed coal seams, coalbeds and rock strata associated therewith (hereafter "Subject Formations") in the Subject Unit underlying and comprised of Subject Lands; (2) represented it has given notice to those parties so identified (hereafter sometimes "person(s)" whether referring to individuals, corporations, partnerships, associations, companies, businesses, trusts, joint ventures or other legal entities) entitled by Va. Code §§ 45.1-361.19 and 45.1-361.22, to notice of the application filed herein; and (3) that the persons set forth in **Exhibit B-3** hereto have been identified by Applicant as persons who may be Owners or Claimants of Coalbed Methane Gas interests in Subject Formations in the Subject Unit who have not heretofore agreed to lease or sell to the Applicant and/or voluntarily pool their Gas interests. Conflicting Gas Owners/Claimants in Subject Unit are listed on **Exhibit E**. Further, the Board has caused notice of this hearing to be published as required by Va. Code § 45.1-361.19.B. Whereupon, the Board hereby finds that the notices given herein satisfy all statutory requirements, Board rule requirements and the minimum standards of state due process.

4. Amendments:

5. Dismissals:

6. Relief Requested:

6.1 Applicant requests creation of a sealed gob production unit consisting of 3,386.50 acres for the development and production of coalbed methane gas from the sealed gob (including all formations listed in Paragraph 3, above, that are or can be reasonably assumed to be in communication with the gob as defined in § 45.1-361.1, sometimes referred to herein as the "Subject Formations"), which drilling unit is further described and depicted in Exhibit "AA" annexed hereto and is further described as follows:

Beginning at a point, Virginia State Plane NAD 27 coordinate of N: 336487.710 E°1015534.750; N89° 58'15" W 59.11 feet to a point; N84°44'27" W 122.52 feet to a point; S72° 38'57" W 53.82 feet to a point; S72° 48'01" W 57.79 feet to a point; N75° 10'17" W 96.12 feet to a point; N37° 53'34" W 82.13 feet to a point; N88° 08'44" W 667.78 feet to a point; S84° 09'02" W 49.26 feet to a point; N72° 11'17" W 22.69 feet to a point; S88° 40'14" W 99.57 feet to a point; S01° 36'07" W 11926.34 feet to a point; S88° 02'28" E 954.64 feet to a point; S01° 11'17" W 394.08 feet to a point; N87° 36'57" W 123.32 feet to a point; S00° 32'05" E 124.32 feet to a point; S88° 37'01" E 569.64 feet to a point; N01° 04'56" E 113.84 feet to a point; N05°56'15" E 6.28 feet to a point; S88° 33'15" E 340.84 feet to a point; N04° 59'10" E 49.82 feet to a point; S89° 27'44" E 301.55 feet to a point; S09° 43'37" W 60.84 feet to a point; N89° 17'53" E 97.95 feet to a point; S78° 27'26" E 137.08

feet to a point; S89° 20'48" E 229.79 feet to a point; S89° 07'30"E 198.39 feet to a point; S89° 30'40" E 262.55 feet to a point; N02° 24'00" E 40.36 feet to a point; N88° 19'12" E 118.02 feet to a point; S88° 14'51" E 94.50 feet to a point; N89° 32'24" E 132.06 feet to a point; S02° 41'53" W 59.06 feet to a point; S87° 59'27" E 575.04 feet to a point; N23° 10'13" E 53.32 feet to a point; S89° 10'04" E 153.54 feet to a point; S89° 18'54" E 96.20 feet to a point; N90°00'00" E 120.53 feet to a point; S05° 20'11" E 50.75 feet to a point; S87° 18'26" E 389.94 feet to a point; S88° 19'44" E 196.81 feet to a point; N05° 46'20" E 15.71 feet to a point; N21° 29'42" E 69.13 feet to a point; S 84° 32'52" E 141.87 feet to a point; S89° 19'31" E 98.52 feet to a point; S86° 36'01" E 154.63 feet to a point; N17° 55'20" W 83.42 feet to a point; N01° 36'03" E 11771.22 feet to a point; N10° 59'15" W 9.76 feet to a point; N88° 27'02" E 34.76 feet to a point; S89° 10'16" E 17.97 feet to a point; N 01° 29'39" E 398.05 feet to a point; S87° 26'03" W 112.58 feet to a point; S89° 06'13" W 103.56 feet to a point; N86° 38'04" W 110.21 feet to a point; N89° 06'57" W 145.15 feet to a point; N31° 22'58" W 40.10 feet to a point; N88° 23'08" W 237.08 feet to a point; S00° 28'36" W 179.06 feet to a point; S86° 37'45" W 55.11 feet to a point; S56° 47'39" W 106.35 feet to a point; S 63° 25'56" W 97.68 feet to a point; S69° 04'42" W 58.89 feet to a point; N76° 27'59" W 89.87 feet to a point; N87° 57'47" W 154.75 feet to a point; S70° 25'51" W 52.73 feet to a point; S89° 51'09" W 19.41 feet to a point; N02° 18'47" E 310.72 feet to a point; N87° 51'55" W 681.36 feet to a point; S01° 55'54" W 42.42 feet to a point; S88° 09'04" W 60.44 feet to a point; S67° 14'56" W 185.56 feet to a point; N53° 44'52" W 61.61 feet to a point; N69° 58'54" W 124.74 feet to a point; N35° 00'13" W 60.25 feet to a point; N88° 28'08" W 835.41 feet to a point; S01° 56'16" W 121.55 feet to a point; S03° 03'53" W 29.55 feet to a point; S05° 34'49" W 84.84 feet to a point; S02° 01'57" W 22.27 feet to a point; S03° 28'29" E 36.96 feet to a point; N76° 11'58" W 58.35 feet to a point; N89° 37'37" W 161.22 feet to a point; S83° 50'20" W 68.20 feet to a point; N00° 51'21" E 21.42 feet to a point; N02° 14'56" E 260.70 feet to a point; N09° 27'44" E 14.23 feet to a point; N 88° 33'06" W 484.70 feet to a point; S03° 22'44" W 54.29 feet to a point; N90° 00'00" W 0.11 feet to a point of beginning, containing +/- **1474.57 acres.**

6.2 Applicant further requests (1) that pursuant to Va. Code § 45.1-361.22, including the applicable portions of § 45.1-361.21, the Board pool the rights, interests and estates in and to the Gas in the Subject Unit, including those of the Applicant and of the known and unknown persons named in **Exhibit B-3** hereto and that of their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, for the drilling and operation, including production, of Coalbed Methane Gas produced from the Subject Unit established for the Subject Formations underlying and comprised of the Subject Lands, (hereafter sometimes collectively identified and referred to as "well development and/or operation in the Subject

Unit"); and, (2) that the Board designate **CNX Gas Company LLC** as the Unit Operator.

7. Relief Granted: The requested relief in this cause shall be and hereby is granted and:

7.1 The Board establishes and creates the VP8SGU3 unit for the production of sealed gob gas (*including all formations listed in Paragraph 3, above, that are or can be reasonably assumed to be in communication with the gob as defined in § 45.1-361.1, sometimes referred to herein as the "Subject Formations"*) underlying and comprised of Subject Lands.

7.2 Unit Operator is hereby authorized to permit and convert existing holes or drill new wells, and to operate the wells for the purpose of producing coalbed methane gob gas from sealed gob unit **Buchanan No.1 SGU3**.

7.3 Pursuant to Va. Code § 45.1-361.21.C.3, **CNX Gas Company LLC** (hereafter "Unit Operator" or "Operator") is designated as the Unit Operator authorized to convert or drill and operate Wells in Subject Unit subject to the permit provisions contained in Va. Code § 45.1-361.27, et seq.; to §§ 4 VAC 25-150 et seq., Gas and Oil Regulations; to § 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations; all as amended from time to time; and

7.4 All the interests and estates in and to the Gas in Subject Unit, including that of the Applicant, the Unit Operator and of the known and unknown persons listed on **Exhibit B-3**, attached hereto and made a part hereof, and their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, be and hereby are pooled in the Subject Formations in the Subject Unit underlying and comprised of the Subject Lands.

7.5 The Board hereby adopts the following method for the calculation of production and revenue and allocation of allowable costs for the production Gob Gas:

For Gob Gas. - Gas shall be produced from and allocated to, and costs for participants shall be allocated to, only the **1,474.57-acre Buchanan No. 1 SGU3** production unit according to the undivided interests of each Owner/Claimant within the unit, which undivided interest shall be the ratio (expressed as a percentage) that the amount of mineral acreage within each separate tract that is within the Subject Unit, when platted on the surface, bears to the total mineral acreage, when platted on the surface, contained within the entire **1,474.57-acre** production.

8. Election and Election Period: In the event any Owner or Claimant named in **Exhibit B-3** hereto does not reach a voluntary agreement to share in the operation of the well or wells located in the Subject Unit, at a rate of payment mutually agreed to by said Gas Owner or Claimant and the Unit Operator, then such person named may elect one of the options set forth in Paragraph 9 below and must give written notice of his election of the option selected under Paragraph 9 to the designated Unit Operator at the address shown below within thirty (30) days from the date of receipt of a copy of this Order. A timely election shall be deemed to have been made if, on or before the last day of said 30-day period, such electing person has delivered his written election to the designated Unit Operator at the address shown

below or has duly postmarked and placed its written election in first class United States mail, postage prepaid, addressed to the Unit Operator at the address shown below.

9. Election Options:

- 9.1 Option 1 - To Participate In The Development and Operation of the Drilling Unit: Any Gas Owner or Claimant named in **Exhibit B-3** who has not reached a voluntary agreement with the Applicant or Unit Operator may elect to participate in the development and operation in the Subject Unit (hereafter "Participating Operator") by agreeing to pay the estimate of such Participating Operator's proportionate part of the actual and reasonable costs, including a reasonable supervision fee, of the development and operation in the Subject Unit, as more particularly set forth in Virginia Gas and Oil Board Regulation 4 VAC 25-160-100 (herein "Completed for Production Costs"). Further, a Participating Operator agrees to pay the estimate of such Participating Operator's proportionate part of the Estimated, Completed-for-Production Costs as set forth below to the Unit Operator within forty-five (45) days from the later of the date of mailing or the date of recording of this Order. The estimated Completed-for-Production Costs (26 wells) for the Subject Unit are as follows:

Completed-for-Production Costs: **\$6,082,188.50**

Any gas owner and/or claimants named in **Exhibit B-3**, who elect this option (Option 1) understand and agree that their initial payment under this option is for their proportionate share of the Applicant's estimate of actual costs and expenses. It is also understood by all persons electing this option that they are agreeing to pay their proportionate share of the actual costs and expenses as determined by the operator named in this Board Order.

A Participating Operator's proportionate cost hereunder shall be the result obtained by multiplying the Participating Operators' "Interest in Unit" times the Completed-for-Production Cost set forth above. Provided, however, that in the event a Participating Operator elects to participate and fails or refuses to pay the estimate of his proportionate part of the Completed-for-Production Cost as set forth above, all within the time set forth herein and in the manner prescribed in Paragraph 8 of this Order, then such Participating Operator shall be deemed to have elected not to participate and to have elected compensation in lieu of participation pursuant to Paragraph 9.2 herein.

- 9.2 Option 2 - To Receive A Cash Bonus Consideration: In lieu of participating in the development and operation in Subject Unit under Paragraph 9.1 above, any Gas Owner or Claimant named in **Exhibit B-3** hereto who has not reached a voluntary agreement with the Unit Operator may elect to accept a cash bonus consideration of **\$5.00** per net mineral acre owned by such person **within the Subject Unit**, commencing upon entry of this Order and continuing annually until commencement of production from Subject Unit, and

thereafter a royalty of 1/8th of 8/8ths [twelve and one-half percent (12.5%)] of the net proceeds received by the Unit Operator for the sale of the Gas produced from any development and operation covered by this Order multiplied by that person's Interest Within Unit as set forth in **Exhibit B-3** [for purposes of this Order, net proceeds shall be actual proceeds received less post-production costs incurred downstream of the wellhead, including, but not limited to, gathering, compression, treating, transportation and marketing costs, whether performed by Unit Operator or a third person] as fair, reasonable and equitable compensation to be paid to said Gas Owner or Claimant. The initial cash bonus shall become due and owing when so elected and shall be tendered, paid or escrowed within one hundred twenty (120) days of recording of this Order. Thereafter, annual cash bonuses, if any, shall become due and owing on each anniversary of the date of recording of this order in the event production from Subject Unit has not theretofore commenced, and once due, shall be tendered, paid or escrowed within sixty (60) days of said anniversary date. Once the initial cash bonus and the annual cash bonuses, if any, are so paid or escrowed, said payment(s) shall be satisfaction in full for the right, interests, and claims of such electing person in and to the Gas produced from Subject Formation in the Subject Lands, except, however, for the 1/8th royalties due hereunder.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.2, when so made, shall be satisfaction in full for the right, interests, and claims of such electing person in any development and operation covered hereby and such electing person shall be deemed to have and hereby does assign its right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Unit to the Applicant.

- 9.3. Option 3 - To Share In The Development And Operation As A Non-Participating Person On A Carried Basis And To Receive Consideration In Lieu Of Cash: In lieu of participating in the Well development and operation of Subject Unit under Paragraph 9.1 above and in lieu of receiving a cash bonus consideration under Paragraph 9.2 above, any Gas Owner or Claimant named in **Exhibit B-3** who has not reached a voluntary agreement with the Unit Operator may elect to share in the development and operation in Subject Unit on a carried basis (as a "Carried Operator") so that the proportionate part of the Completed-for-Production Costs hereby allocable to such Carried Well Operator's interest is charged against such Carried Well Operator's share of production from Subject Unit. Such Carried Operator's rights, interests, and claims in and to the Gas in Subject Unit shall be deemed and hereby are assigned to the Unit Operator until the proceeds from the sale of such Carried Operator's share of production from Subject Unit (exclusive of any royalty, excess or overriding royalty, or other non-operating or non cost-bearing burden reserved in any lease, assignment thereof or agreement relating thereto covering such interest) equals three hundred percent

(300%) for a leased interest or two hundred percent (200%) for an unleased interest (whichever is applicable) of such Carried Operator's share of the Completed-for-Production Costs allocable to the interest of such Carried Operator. Any Gas Owner and/or Claimant named in **Exhibit B-3** who elects this option (Option 3) understands and agrees that Completed-for-Production Costs are the Operator's actual costs for well development and operation. When the Unit Operator recoups and recovers from such Carried Well Operator's assigned interest the amounts provided for above, then, the assigned interest of such Carried Operator shall automatically revert back to such Carried Operator, and from and after such reversion, such Carried Operator shall be treated as if it had participated initially under Paragraph 9.1 above; and thereafter, such participating person shall be charged with and shall pay his proportionate part of all further costs of such development and operation.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.3, when so made, shall be satisfaction in full for the right, interests, and claims of such electing person in any development and operation covered hereby and such electing person shall be deemed to have and hereby does assign his right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Unit to the Applicant for the period of time during which its interest is carried as above provided prior to its reversion back to such electing person.

10. Failure to Properly Elect: In the event a person named in **Exhibit B-3** hereto has not reached a voluntary agreement with the Applicant or Unit Operator and fails to elect within the time, in the manner, and in accordance with the terms of this Order, one of the alternatives set forth in Paragraph 9 above for which his interest qualifies, then such person shall be deemed to have elected not to participate in the proposed development and operation in Subject Unit and shall be deemed, subject to any final legal determination of ownership, to have elected to accept as satisfaction in full for such person's right, interests, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which its interest qualifies, and shall be deemed to have leased and/or assigned his right, interests, and claims in and to said Gas produced from Subject Formation in Subject Unit to the Unit Operator. Persons who fail to properly elect shall be deemed to have accepted the compensation and terms set forth herein at Paragraph 9.2 in satisfaction in full for the right, interests, and claims of such person in and to the Gas produced from Subject Formation underlying Subject Lands.

11. Default By Participating Person: In the event a person named in **Exhibit B-3** elects to participate under Paragraph 9.1, but fails or refuses to pay, to secure the payment or to make an arrangement with the Unit Operator for the payment of such person's proportionate part of the estimated Completed-for-Production costs as set forth herein, all within the time and in the manner as prescribed in this Order, then such person shall be deemed to have withdrawn his election to participate and shall be deemed to have elected to accept as satisfaction in full for such person's right, interests,

and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which his interest qualifies depending on the excess burdens attached to such interest. Whereupon, any cash bonus consideration due as a result of such deemed election shall be tendered, paid or escrowed by Unit Operator within one hundred twenty (120) days after the last day on which such defaulting person under this Order should have paid his proportionate part of such cost or should have made satisfactory arrangements for the payment thereof. When such cash bonus consideration is paid or escrowed, it shall be satisfaction in full for the right, interests, and claims of such person in and to the Gas underlying Subject Unit in the Subject Lands covered hereby, except, however, for any 1/8th royalties which would become due pursuant to Paragraph 9.2 hereof.

12. Assignment of Interest: In the event a person named in **Exhibit B-3** is unable to reach a voluntary agreement to share in the development and operation in Subject Unit at a rate of payment agreed to mutually by said Gas Owner or Claimant and the Unit Operator, and said person elects or fails to elect to do other than participate under Paragraph 9.1 above in the development and operation in Subject Unit, then such person shall be deemed to have and shall have assigned unto Unit Operator such person's right, interests, and claims in and to said Well, in Subject Formations in Subject Unit, and other share in and to Gas production to which such person may be entitled by reason of any election or deemed election hereunder in accordance with the provisions of this Order governing said elections.

13. Unit Operator (or Operator): **CNX Gas Company LLC** shall be and hereby is designated as Unit Operator authorized to convert and/or drill and operate the Well(s) in Subject Formations in Subject Unit, all subject to the permit provisions contained in Va. Code §§ 45.1-361.27 et seq.; §§ 4 VAC 25-150 et seq., Gas and Oil Regulations; §§ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations; all as amended from time to time, and all elections required by this Order shall be communicated to Unit Operator in writing at the address shown below:

**CNX Gas Company LLC
2481 John Nash Blvd.
Bluefield, WV 24701
Attn: Anita D. Duty**

14. Commencement of Operations: Unit Operator shall commence or cause to commence operations for gas production within Subject Unit within seven hundred thirty (730) days from the date of this Order, and shall prosecute the same with due diligence. If the Unit Operator has not so commenced and/or prosecuted, then this order shall terminate, except for any cash sums then payable hereunder; otherwise, unless sooner terminated by Order of the Board, this Order shall expire at 12:00 p.m. on the date on which the well covered by this Order is permanently abandoned and plugged. However, in the even at an appeal is taken from this Order, then the time between the filing of the Petition for Appeal and the Final Order of the Circuit Court shall be excluded in calculating the two-year period referenced herein.

15. Operator's Lien: Unit Operator, in addition to the other rights afforded hereunder, shall have a lien and a right of set off on the Gas estates, rights, and interests owned by any person subject hereto who elects to participate under Paragraph 9.1 in the Subject Unit to the extent that costs incurred in the drilling or operation on the Subject Unit are a charge against such person's interest. Such liens and right of set off shall be separable as to each separate person and shall remain liens until the Unit Operator has been paid the full amounts due under the terms of this Order.

16. Escrow Provisions:

The Applicant represented to the Board that there **are no** unknown or unlocatable claimants in the Subject Unit whose payments are subject to the provisions of Paragraph 16; and, the Unit Operator has represented to the Board that there **are** conflicting claimants in **Tract(s) 16A and 16C** of the Subject Unit whose payments are subject to the provisions of Paragraph 16.2 hereof. Therefore, by this Order, the Escrow Agent named herein or any successor named by the Board, **is** required to establish an interest-bearing escrow account for the Subject Unit (herein "Escrow Account"), **Tract(s) 16A and 16C** to receive and account to the Board pursuant to its agreement for the escrowed funds hereafter described in Paragraphs 16.1 and 16.2:

**First Bank & Trust Company
Trust Department
38 E. Valley Drive
Bristol, VA 24210
Attn: Debbie Davis**

Escrow Provisions For Unknown or Unlocatable Persons: If any payment of bonus, royalty payment or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be located or is unknown, then such cash bonus, royalty payment, or other payment shall not be commingled with any funds of the Unit Operator and, pursuant to Va. Code § 45.1-361.21.D, said sums shall be deposited by the Unit Operator into the Escrow Account, commencing within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made, by use of a report format approved by the Inspector, by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are being deposited. Such funds shall be held for the exclusive use of, and sole benefit of the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board in accordance with Va. Code § 45.1-361.21.D.

16.2 Escrow Provisions For Conflicting Claimants: If any payment of bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be made certain due to conflicting claims of ownership and/or a defect or cloud on the title, then such cash bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment, together with Participating Operator's Proportionate Costs paid to Unit Operator pursuant to Paragraph 9.1 hereof, if any, (1) shall not be commingled with any

funds of the Unit Operator; and (2) shall, pursuant to Va. Code §§ 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4, be deposited by the Operator into the Escrow Account within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are subject to deposit. Such funds shall be held for the exclusive use of, and sole benefit of, the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board.

17. Special Findings: The Board specifically and specially finds:

- 17.1. Applicant is **CNX Gas Company LLC**. Applicant is duly authorized and qualified to transact business in the Commonwealth of Virginia;
- 17.2. Applicant **CNX Gas Company LLC** has consented to serve as Coalbed Methane Gas Unit Operator for Subject Unit and to faithfully discharge the duties imposed upon it as Unit Operator by statute and regulations;
- 17.3. Applicant **CNX Gas Company LLC** is an operator in the Commonwealth of Virginia, and has satisfied the Board's requirements for operations in Virginia;
- 17.4. Applicant **CNX Gas Company LLC** claims ownership of gas leases, Coalbed Methane Gas leases, and/or coal leases representing **99.2795%** percent of the oil and gas interest/claims in and to Coalbed Methane Gas and **100.0000%** percent of the coal interest/claims in and to Coalbed Methane Gas in Subject Unit; and, Applicant claims the right to explore for, develop and produce Coalbed Methane Gas from Subject Formations in Subject Unit in **Buchanan County**, Virginia, which Subject Lands are more particularly described in **Exhibit AA**;
- 17.5. The estimated total production from Subject Unit is **2 - 12.5 BCF**;
- 17.6. Set forth in **Exhibit B-3**, is the name and last known address of each Owner or Claimant identified by the Applicant as having or claiming an interest in the Coalbed Methane Gas in Subject Formation in Subject Unit underlying and comprised of Subject Lands, who has not, in writing, leased to the Applicant or the Unit Operator or agreed to voluntarily pool his interests in Subject Unit for its development. The interests of the Respondents listed in **Exhibit B-3** comprise **0.7205%** percent of the oil and gas interests/claims in and to Coalbed Methane Gas and **0.0000%** percent of the coal interests/claims in and to Coalbed Methane Gas in Subject Unit;
- 17.7. Applicant's evidence established that the fair, reasonable and equitable compensation to be paid to any person in lieu of the right to participate in the Wells are those options provided in Paragraph 9 above;

17.8 The relief requested and granted is just and reasonable, is supported by substantial evidence and will afford each person listed and named in **Exhibit B-3** hereto the opportunity to recover or receive, without unnecessary expense, such person's just and fair share of the production from Subject Unit. The granting of the Application and relief requested therein will ensure to the extent possible the greatest ultimate recovery of Coalbed Methane Gas, prevent or assist in preventing the various types of waste prohibited by statute and protect or assist in protecting the correlative rights of all persons in the subject common sources of supply in the Subject Lands. Therefore, the Board is entering an Order granting the relief herein set forth.

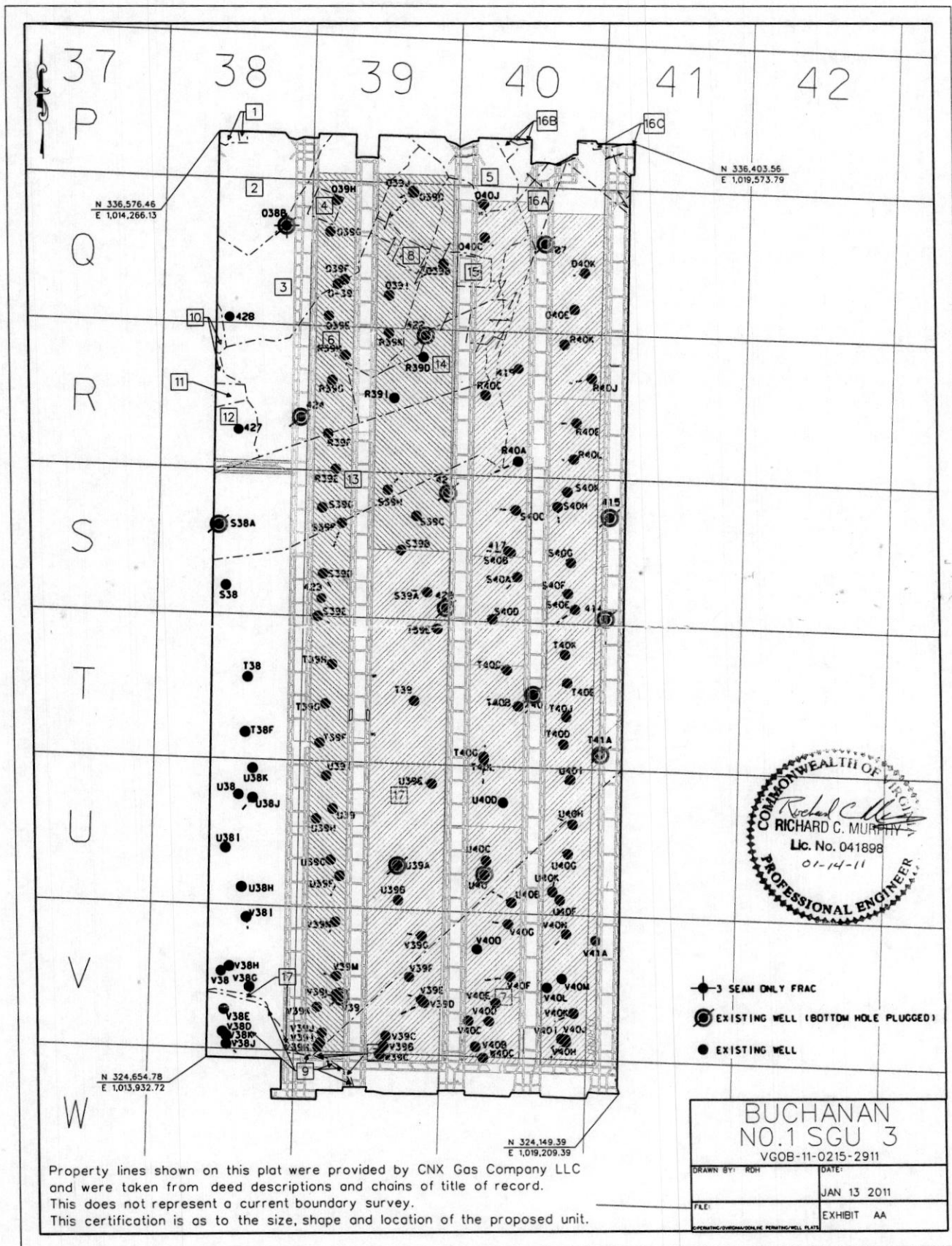
18. Mailing Of Order And Filing Of Affidavit: Applicant or its Attorney shall file an affidavit with the Secretary of the Board within sixty (60) days after the date of recording of this Order stating that a true and correct copy of said Order was mailed within seven (7) days from the date of its receipt by Unit Operator to each Respondent named in **Exhibit B-3** pooled by this Order and whose address is known.

19. Availability of Unit Records: The Director shall provide all persons not subject to a lease with reasonable access to all records for Subject Unit which are submitted by the Unit Operator to said Director and/or his Inspector(s).

20. Conclusion: Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

21. Appeals: Appeals of this Order may be filed by an adversely affected party within thirty days after service of the Order, pursuant to the provisions of Va. Code Ann. § 45.1-361.9 that provides that any order or decision of the Board may be appealed to the appropriate circuit court where interlocutory relief may also be sought. Any appeal shall be filed in compliance with the provisions of the Administrative Process Act (Va. Code Ann. §§ 2.2-4000 et seq.) and the Rules of the Supreme Court of Virginia.

22. Effective Date: This Order shall be effective as of the date of the Board's approval of this Application, which is set forth at Paragraph 1 above.



DONE AND EXECUTED this _____ day of February, 2013,
by a majority of the Virginia Gas and Oil Board.

Chairman, Bradley C. Lambert

DONE AND PERFORMED this _____ day of February, by
Order of the Board.

Rick Cooper
Principal Executive to the
Staff, Virginia Gas and Oil Board

STATE OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this _____ day of February, 2013
personally before me a notary public in and for the Commonwealth of
Virginia, appeared Bradley C. Lambert, being duly sworn did depose and
say that he is Chairman of the Virginia Gas and Oil Board, and appeared
Rick Cooper, being duly sworn did depose and say that he is Principal
Executive to the Staff of the Virginia Gas and Oil Board that they
executed the same and were authorized to do so.

Diane Davis, Notary Public
174394

My commission expires: September 30, 2013

**CNX Gas Company LLC
BUCHANAN #1 SGU 3
Tract Identifications
(1474.57 Acre Unit)**

1. Consolidation Coal Company (81.60 Acre Tract) – Coal in Jawbone Seam and Below (½)
Ronald A. Clyborne – Coal Above Jawbone Seam and Oil and Gas (1/2)
Consolidation Coal Company – Coal Below Jawbone Leased (1/2)
J.C. Franks, et al – All Minerals (1/2)
CNX Gas Company LLC – Oil, Gas and CBM Leased
1.26 Acres 0.0854%
2. Robert J. Dennis, et al (114 Acre Tract) – Fee
Island Creek Coal Co./Consol Energy, Inc. – All Coal Below Tiller except P-3 Seam Leased
Consolidation Coal Company - Coal In P-3 Seam Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
33.66 Acres 2.2827%
3. Consolidation Coal Company (111 Acre Tract) – Coal In and Below the Jawbone Seam (1/2)
Ronald A. Clyborne – Coal Above Jawbone Seam and Oil and Gas (1/2)
Consolidation Coal Company – Coal Above the Jawbone Seam Leased
J.C. Franks, et al – All Minerals (1/2)
CNX Gas Company LLC – Oil, Gas and CBM Leased
71.77 Acres 4.8672%
4. J.C. Franks, et al (3 Acre Tract) – Fee
Consolidation Coal Company - Coal Below Jawbone Seam Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
2.96 Acres 0.2007%
5. Consolidation Coal Company (76.40 Acre Tract) – Coal In and Below Jawbone Seam (1/2)
Ronald A. Clyborne – Coal Above Jawbone Seam and Oil and Gas (1/2)
Consolidation Coal Company – Coal Below Jawbone Leased (1/2)
J.C. Franks, et al – All Minerals (1/2)
CNX Gas Company LLC – Oil, Gas and CBM Leased
15.55 Acres 1.0545%
6. Consolidation Coal Company (91 Acre Tract) – Coal In and Below Jawbone Seam (1/2)
Ronald A. Clyborne – Coal Above Jawbone Seam and Oil and Gas (1/2)
Consolidation Coal Company – Coal Above Jawbone Seam Leased
J.C. Franks, et al – All Minerals (1/2)
CNX Gas Company LLC – Oil, Gas and CBM Leased
95.81 Acres 6.4975%
7. Coal Mountain Mining Company L.L.P., Tr. 27 (1140 Acre Tract) – Fee
Consolidation Coal Company – Coal Below Drainage Leased
Knox Creek Coal Corporation – Coal Above Drainage Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
204.68 Acres 13.8807%

(This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coalbed methane ownership and should not be relied upon for such purpose.)

CNX Gas Company LLC
BUCHANAN #1 SGU 3
Tract Identifications
(1474.57 Acre Unit)

8. Consolidation Coal Company (3 Acre Tract) – Coal
CNX Gas Company LLC – Oil, Gas and CBM
2.74 Acres 0.1858%
9. Commonwealth Coal Corporation, Tract 2 (965.00 Acres) – All Minerals
Consolidation Coal Company - Below Drainage Coal Leased
Knox Creek Coal Company – Above Drainage Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
25.20 Acres 1.7090%
10. Consolidation Coal Company (18 Acre Tract) – Coal In and Below the Jawbone Seam (1/2)
Ronald A. Clyborne – Coal Above Jawbone Seam and Oil and Gas (1/2)
Consolidation Coal Company – Coal Above Jawbone Seam Leased
J.C. Franks, et al – All Minerals (1/2)
CNX Gas Company LLC – Oil, Gas and CBM Leased
2.35 Acres 0.1594%
11. R. O. VanDyke Heirs, et al (154 Acre Tract) – All Minerals
Consolidation Coal Company – Coal Below Drainage Leased
Jewell Smokeless Coal Corporation – Coal In Jawbone Seam Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
2.24 Acres 0.1519%
12. Dennis G. Dobrenz (38 Acre Tract) – All Minerals
Consolidation Coal Company – Coal Below Tiller Seam Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
9.72 Acres 0.6592%
13. R.O. Vandyke Heirs, et al (126.20 Acre Tract) – All Minerals
Consolidation Coal Company – Coal Below Drainage Leased
Jewell Smokeless Coal Corporation – Jawbone Seam Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
96.39 Acres 6.5368%
14. Dennis G. Dobrenz (87.00 Acre Tract) – All Minerals
Consolidation Coal Company – Coal Below Tiller Seam Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
78.43 Acres 5.3188%
15. Consolidation Coal Company - All Coal
CNX Gas Company LLC – Oil and Gas
3.83 Acres 0.2598%
- 16A. James McGuire Land Trust (460.57 Acre Tract) – Coal
Consolidation Coal Company – Below Drainage Coal Leased
Massey Energy - Jawbone and Tiller Seams Leased

(This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coalbed methane ownership and should not be relied upon for such purpose.)

**CNX Gas Company LLC
BUCHANAN #1 SGU 3
Tract Identifications
(1474.57 Acre Unit)**

CNX Gas Company LLC – CBM Leased
Linda M. Estridge, et al – Oil and Gas
21.25 Acres 1.4411%

- 16B. James McGuire Land Trust (460.57 Acre Tract) – Coal
Consolidation Coal Company – Below Drainage Coal Leased
Massey Energy - Jawbone and Tiller Seams Leased
CNX Gas Company LLC – CBM Leased
CNX Gas Company LLC – Oil and Gas
1.37 Acres 0.0929%
- 16C. James McGuire Land Trust (460.57 Acre Tract) – Coal
Consolidation Coal Company – Below Drainage Coal Leased
Massey Energy - Jawbone and Tiller Seams Leased
CNX Gas Company LLC – CBM Leased
Norfolk Southern Railway Company – Oil and Gas
CNX Gas Company LLC – CBM Leased
0.58 Acres 0.0393%
17. Coal Mountain Mining Company L.L.P. Tr. 26 (1355 Acre Tract) – Fee
Consolidation Coal Company – Coal Below Drainage Leased
Knox Creek Coal Corporation – Coal Above Drainage Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
804.78 Acres 54.5773%

(This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coalbed methane ownership and should not be relied upon for such purpose.)

Exhibit B
Buchanan No.1 SGU #3
Docket #VGOB 11-0215-2911
List of all Owners/Claimants
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
I. COAL OWNERSHIP		
<u>Tract #1, 1.26 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (81.60 Acre Tract)	1.26 acres	0.0854%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns (1/2 of all Coal)	0.63 acres 1/2 of 1.26 acres	0.0427%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	0.55 acres 13/30 of 1.26 acres	0.0370%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.06 acres 1/20 of 1.26 acres	0.0043%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.02 acres 1/60 of 1.26 acres	0.0014%
*** Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:		
The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	0.63 acres 1/2 of 1.26 acres	0.0427%
(c) Ronald Clyborne (1/2 Coal Above Jawbone Seam) *** 9325 Olympic View Drive Edmonds, WA 98020-2397		
*** NOTE: The coal above the Jawbone seam is above drainage and is not a part of the Sealed Gob Unit and therefore is of No Issue.		
<u>Tract #2, 33.66 acres</u>		
(1) Robert J. Dennis, et al W. Clyde Dennis & Bessie B. Dennis Tract (114 Acre Tract)	33.66 acres	2.2827%
(a) Robert J. Dennis 23007 Kestrel Drive Bristol, VA 24202	16.83 acres 1/2 of 33.66 acres	1.1413%
(b) William Burns Dennis 1810 NE 41st. Street Oakland Park, FL 33308-5538	16.83 acres 1/2 of 33.66 acres	1.1413%

Exhibit B
Buchanan No.1 SGU #3
Docket #VGOB 11-0215-2911
List of all Owners/Claimants
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #3, 71.77 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (111 Acre Tract)	71.77 acres	4.8672%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns (1/2 of all Coal)	35.885 acres 1/2 of 71.77 acres	2.4336%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	31.100 acres 13/30 of 71.77 acres	2.1091%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	3.589 acres 1/20 of 71.77 acres	0.2434%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	1.196 acres 1/60 of 71.77 acres	0.0811%
*** <u>Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u> The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	35.885 acres 1/2 of 71.77 acres	2.4336%
(c) Ronald Clyborne (1/2 Coal Above Jawbone Seam) *** 9325 Olympic View Drive Edmonds, WA 98020-2397		
*** NOTE: The coal above the Jawbone seam is above drainage and is not a part of the Sealed Gob Unit and therefore is of No Issue.		
<u>Tract #4, 2.96 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns (3 Acre Tract)	2.96 acres	0.2007%
(a) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	2.565 acres 13/15 of 2.96 acres	0.1740%
(b) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.296 acres 1/10 of 2.96 acres	0.0201%

Exhibit B
Buchanan No.1 SGU #3
Docket #VGOB 11-0215-2911
List of all Owners/Claimants
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
(c) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.099 acres 1/30 of 2.96 acres	0.0067%
*** Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:		
The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
<u>Tract #5, 15.55 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (76.40 Acre Tract)	15.55 acres	1.0545%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns (1/2 of all Coal)	7.775 acres 1/2 of 15.55 acres	0.5273%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	6.738 acres 13/30 of 15.55 acres	0.4570%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.778 acres 1/20 of 15.55 acres	0.0527%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.259 acres 1/60 of 15.55 acres	0.0176%
*** Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:		
The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	7.775 acres 1/2 of 15.55 acres	0.5273%
(c) Ronald Clyborne (1/2 Coal Above Jawbone Seam) *** 9325 Olympic View Drive Edmonds, WA 98020-2397		

***** NOTE:** The coal above the Jawbone seam is above drainage and is not a part of the Sealed Gob Unit and therefore is of No Issue.

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List of all Owners/Claimants
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #6, 95.81 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (91.00 Acre Tract)	95.81 acres	6.4975%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns (1/2 of all Coal)	47.905 acres 1/2 of 95.81 acres	3.2487%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	41.518 acres 13/30 of 95.81 acres	2.8156%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	4.791 acres 1/20 of 95.81 acres	0.3249%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	1.597 acres 1/60 of 95.81 acres	0.1083%
<u>*** Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u>		
The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	47.905 acres 1/2 of 95.81 acres	3.2487%
(c) Ronald Clyborne (1/2 Coal Above Jawbone Seam) *** 9325 Olympic View Drive Edmonds, WA 98020-2397		
*** NOTE: The coal above the Jawbone seam is above drainage and is not a part of the Sealed Gob Unit and therefore is of No Issue.		
<u>Tract #7, 204.68 acres</u>		
(1) Coal Mountain Mining Company, LLP Tract 27 (1,140.00 Acre Tract) P.O. Box 675 Tazewell, VA 24651	204.68 acres	13.8807%
<u>Tract #8 - 2.74 Acres</u>		
(1) Consolidation Coal Company (3 Acre Tract) 10545 Riverside Dr. Oakwood, VA 24631	2.74 acres	0.1858%

Exhibit B
Buchanan No.1 SGU #3
Docket #VGOB 11-0215-2911
List of all Owners/Claimants
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #9, 25.20 acres</u>		
(1) Commonwealth Coal Company Tract 2 (965.00 Acre Tract) P.O. Box 1269 Bristol, VA 24203	25.20 acres	1.7090%
<u>Tract #10, 2.35 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (18 Acre Tract)	2.35 acres	0.1594%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns (1/2 of all Coal)	1.175 acres 1/2 of 2.35 acres	0.0797%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	1.018 acres 13/30 of 2.35 acres	0.0691%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.118 acres 1/20 of 2.35 acres	0.0080%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.039 acres 1/60 of 2.35 acres	0.0027%
<u>*** Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u>		
The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	1.175 acres 1/2 of 2.35 acres	0.0797%
(c) Ronald Clyborne (1/2 Coal Above Jawbone Seam) *** 9325 Olympic View Drive Edmonds, WA 98020-2397		

*** NOTE: The coal above the Jawbone seam is above drainage and is not a part of the Sealed Gob Unit and therefore is of No Issue.

Exhibit B
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List of all Owners/Claimants
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract 11, 2.24 acres</u>		
(1) R. O. Vandyke Heirs, et al. (154 Acre Tract)	2.24 acres	0.1519%
(a) R. O. Vandyke Heirs		
(a.1) Edward Ralph Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	0.19 acres 1/12 of 2.24 acres	0.0127%
(a.2) William H. Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	0.19 acres 1/12 of 2.24 acres	0.0127%
(a.3) Claude H. Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	0.19 acres 1/12 of 2.24 acres	0.0127%
(a.4) Mary Elizabeth Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	0.19 acres 1/12 of 2.24 acres	0.0127%
(a.5) Virginia May Vandyke Kinney <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	0.19 acres 1/12 of 2.24 acres	0.0127%
(a.6) Rufus Oscar Vandyke, Jr. <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	0.19 acres 1/12 of 2.24 acres	0.0127%
(b) First Community Bank - Trustee <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	1.12 acres 1/2 of 2.24 acres	0.0760%

Royalty Payments are to be paid to:

R. O. Vandyke Estate
c/o Edward R. Vandyke
P. O. Box 29
Tazewell, VA 24651

Tract #12, 9.72 acres

(1) Carl Metcalf Heirs, Devisees, Successors or Assigns
Tract 415 (38 Acre Tract)

(a) Ann C. Dobrenz Heirs, Devisees, Successors or Assigns ***

(a.1) Dennis G. Dobrenz ***

9.72 acres

0.6592%

***** Per 4/05/02 Agreement all Notices and Royalty Payments are to go to:**

The Carl Metcalf Estate
c/o J. C. Franks
621 Peavler Street
Marion, VA 24641

Exhibit B
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List of all Owners/Claimants
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #13, 96.39 acres</u>		
(1) R. O. Vandyke Heirs, et al. (126.20 Acre Tract)	96.39 acres	6.5368%
(a) R. O. Vandyke Heirs		
(a.1) Edward Ralph Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.2) William H. Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.3) Claude H. Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.4) Mary Elizabeth Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.5) Virginia May Vandyke Kinney <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.6) Rufus Oscar Vandyke, Jr. <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(b) First Community Bank - Trustee <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	48.20 acres 1/2 of 96.39 acres	3.2684%
<u>Royalty Payments are to be paid to:</u>		
R. O. Vandyke Estate c/o Edward R. Vandyke P. O. Box 29 Tazewell, VA 24651		
<u>Tract #14 - 78.43 acres</u>		
(1) Carl Metcalf Heirs, Devisees, Successors or Assigns <i>Tract 414 (87.00 Acre Tract)</i>		
(a) Ann C. Dobrenz Heirs, Devisees, Successors or Assigns ***		
(a.1) Dennis G. Dobrenz ***	78.43 acres	5.3188%
<u>*** Per 4/05/02 Agreement all Notices and Royalty Payments are to go to:</u>		
The Carl Metcalf Estate c/o J. C. Franks 621 Peavler Street Marion, VA 24641		

Exhibit B
Buchanan No.1 SGU #3
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List of all Owners/Claimants
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #15 - 3.83 Acres</u>		
(1) Consolidation Coal Company 10545 Riverside Dr. Oakwood, VA 24631	3.83 acres	0.2598%
<u>Tract #16A, 21.25 acres</u>		
(1) James M. McGuire Trust (460.57 acre tract) P.O. Box 1067 Bluefield, VA 24605	21.25 acres	1.4411%
<u>Tract #16B, 1.37 acres</u>		
(1) James M. McGuire Trust (460.57 acre tract) P.O. Box 1067 Bluefield, VA 24605	1.37 acres	0.0929%
<u>Tract #16C, 0.58 acres</u>		
(1) James M. McGuire Trust (460.57 acre tract) P.O. Box 1067 Bluefield, VA 24605	0.58 acres	0.0393%
<u>Tract #17, 804.78 acres</u>		
(1) Coal Mountain Mining Company, LLP Tract 26 (1,355.00 Acre Tract) P.O. Box 675 Tazewell, VA 24651	804.78 acres	54.5773%
II. <u>OIL & GAS OWNERSHIP</u>		93.6680%
<u>Tract #1, 1.26 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (81.60 Acre Tract)	1.26 acres	0.0854%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns	0.63 acres 1/2 of 1.26 acres	0.0427%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	0.546 acres 13/30 of 1.26 acres	0.0370%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.063 acres 1/20 of 1.26 acres	0.0043%

Exhibit B
Buchanan No.1 SGU #3
Docket #VGOB 11-0215-2911
List of all Owners/Claimants
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.021 acres 1/60 of 1.26 acres	0.0014%
*** Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:		
The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Ronald Clyborne 9325 Olympic View Drive Edmonds, WA 98020-2397	0.63 acres 1/2 of 1.26 acres	0.0427%
<u>Tract #2, 33.66 acres</u>		
(1) Robert J. Dennis, et al <i>W. Clyde Dennis & Bessie B. Dennis Tract (114 Acre Tract)</i>	33.66 acres	2.2827%
(a) Robert J. Dennis 23007 Kestrel Drive Bristol, VA 24202	16.83 acres 1/2 of 33.66 acres	1.1413%
(b) William Burns Dennis 1810 NE 41st. Street Oakland Park, FL 33308-5538	16.83 acres 1/2 of 33.66 acres	1.1413%
<u>Tract #3, 71.77 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. <i>(111 Acre Tract)</i>	71.77 acres	4.8672%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns	35.885 acres 1/2 of 71.77 acres	2.4336%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	31.100 acres 13/30 of 71.77 acres	2.1091%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	3.589 acres 1/20 of 71.77 acres	0.2434%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	1.196 acres 1/60 of 71.77 acres	0.0811%

Exhibit B
Buchanan No.1 SGU #3
Docket #VGOB 11-0215-2911
List of all Owners/Claimants
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
*** Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:		
The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Ronald Clyborne 9325 Olympic View Drive Edmonds, WA 98020-2397	35.885 acres 1/2 of 71.77 acres	2.4336%
<u>Tract #4, 2.96 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns (3 Acre Tract)	2.96 acres	0.2007%
(a) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	2.565 acres 13/15 of 2.96 acres	0.1740%
(b) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.296 acres 1/10 of 2.96 acres	0.0201%
(c) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.099 acres 1/30 of 2.96 acres	0.0067%
*** Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:		
The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
<u>Tract #5, 15.55 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (76.40 Acre Tract)	15.55 acres	1.0545%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns	7.775 acres 1/2 of 15.55 acres	0.5273%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	6.738 acres 13/30 of 15.55 acres	0.4570%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.778 acres 1/20 of 15.55 acres	0.0527%

Exhibit B
Buchanan No.1 SGU #3
Docket #VGOB 11-0215-2911
List of all Owners/Claimants
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.259 acres 1/60 of 15.55 acres	0.0176%
*** <u>Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u> The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Ronald Clyborne 9325 Olympic View Drive Edmonds, WA 98020-2397	7.775 acres 1/2 of 15.55 acres	0.5273%
<u>Tract #6, 95.81 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (91.00 Acre Tract)	95.81 acres	6.4975%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns	47.905 acres 1/2 of 95.81 acres	3.2487%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	41.518 acres 13/30 of 95.81 acres	2.8156%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	4.791 acres 1/20 of 95.81 acres	0.3249%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	1.597 acres 1/60 of 95.81 acres	0.1083%
*** <u>Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u> The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Ronald Clyborne 9325 Olympic View Drive Edmonds, WA 98020-2397	47.905 acres 1/2 of 95.81 acres	3.2487%
<u>Tract #7, 204.68 acres</u>		
(1) Coal Mountain Mining Company, LLP Tract 27 (1,140.00 Acre Tract) P.O. Box 675 Tazewell, VA 24651	204.68 acres	13.8807%

Exhibit B
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Docket #VGOB 11-0215-2911
List of all Owners/Claimants
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #8 - 2.74 Acres</u>		
(1) CNX Gas Company LLC (3 Acre Tract) 1000 Consol Energy Drive Canonsburg, PA 15317	2.74 acres	0.1858%
<u>Tract #9, 25.20 acres</u>		
(1) Commonwealth Coal Company Tract 2 (965.00 Acre Tract) P.O. Box 1269 Bristol, VA 24203	25.20 acres	1.7090%
<u>Tract #10, 2.35 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (18 Acre Tract)	2.35 acres	0.1594%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns	1.175 acres 1/2 of 2.35 acres	0.0797%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	1.018 acres 13/30 of 2.35 acres	0.0691%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.118 acres 1/20 of 2.35 acres	0.0080%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.039 acres 1/60 of 2.35 acres	0.0027%
<u>*** Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u>		
The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Ronald Clyborne 9325 Olympic View Drive Edmonds, WA 98020-2397	1.175 acres 1/2 of 2.35 acres	0.0797%
<u>Tract #11, 2.24 acres</u>		
(1) R. O. Vandyke Heirs, et al. (154 Acre Tract)	2.24 acres	0.1519%

Exhibit B
Buchanan No.1 SGU #3
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(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
(a) R. O. Vandyke Heirs		
(a.1) Edward Ralph Vandyke	0.19 acres	0.0127%
<i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	1/12 of 2.24 acres	
(a.2) William H. Vandyke	0.19 acres	0.0127%
<i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	1/12 of 2.24 acres	
(a.3) Claude H. Vandyke	0.19 acres	0.0127%
<i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	1/12 of 2.24 acres	
(a.4) Mary Elizabeth Vandyke	0.19 acres	0.0127%
<i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	1/12 of 2.24 acres	
(a.5) Virginia May Vandyke Kinney	0.19 acres	0.0127%
<i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	1/12 of 2.24 acres	
(a.6) Rufus Oscar Vandyke, Jr.	0.19 acres	0.0127%
<i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	1/12 of 2.24 acres	
(b) First Community Bank - Trustee	1.12 acres	0.0760%
<i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	1/2 of 2.24 acres	

Royalty Payments are to be paid to:

R. O. Vandyke Estate
c/o Edward R. Vandyke
P. O. Box 29
Tazewell, VA 24651

Tract #12, 9.72 acres

(1) Carl Metcalf Heirs, Devisees, Successors or Assigns
Tract 415 (38 Acre Tract)

(a) Ann C. Dobrenz Heirs, Devisees, Successors or Assigns ***

(a.1) Dennis G. Dobrenz ***	9.72 acres	0.6592%
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***** Per 4/05/02 Agreement all Notices and Royalty Payments are to go to:**

The Carl Metcalf Estate
c/o J. C. Franks
621 Peavler Street
Marion, VA 24641

Exhibit B
Buchanan No.1 SGU #3
Docket #VGOB 11-0215-2911
List of all Owners/Claimants
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #13, 96.39 acres</u>		
(1) R. O. Vandyke Heirs, et al. (126.20 Acre Tract)	96.39 acres	6.5368%
(a) R. O. Vandyke Heirs		
(a.1) Edward Ralph Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.2) William H. Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.3) Claude H. Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.4) Mary Elizabeth Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.5) Virginia May Vandyke Kinney <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.6) Rufus Oscar Vandyke, Jr. <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(b) First Community Bank - Trustee <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	48.20 acres 1/2 of 96.39 acres	3.2684%
<u>Royalty Payments are to be paid to:</u>		
R. O. Vandyke Estate c/o Edward R. Vandyke P. O. Box 29 Tazewell, VA 24651		
<u>Tract #14 - 78.43 acres</u>		
(1) Carl Metcalf Heirs, Devisees, Successors or Assigns <i>Tract 414 (87.00 Acre Tract)</i>		
(a) Ann C. Dobrenz Heirs, Devisees, Successors or Assigns ***		
(a.1) Dennis G. Dobrenz ***	78.43 acres	5.3188%

***** Per 4/05/02 Agreement all Notices and Royalty Payments are to go to:**
The Carl Metcalf Estate
c/o J. C. Franks
621 Peavler Street
Marion, VA 24641

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(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #15 - 3.83 Acres</u>		
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	3.83 acres	0.2598%
<u>Tract #16A, 21.25 acres</u>		
(1) W. B. McDonald, et ux. Heirs, Devisees, Successors or Assigns	21.25 acres	1.4411%
(a) Linda Meledge Estridge 969 Ridgedale Road Saltville, VA 24370	10.625 acres 1/2 of 21.25 acres	0.7205%
(b) B. W. McDonald Testamentary Trust P. O. Box 999 Prestonsburg, KY 41653	10.625 acres 1/2 of 21.25 acres	0.7205%
<u>Tract #16B, 1.37 acres</u>		
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	1.37 acres	0.0929%
<u>Tract #16C, 0.58 acres</u>		
(1) Norfolk Southern Railway Company	0.58 acres	0.0393%
<i>If no conflict royalties paid to:</i> Pocahontas Land Corporation Treasurer, Pocahontas Land Corporation P. O. Box 1517 Bluefield, WV 24701		
<u>Tract #17, 804.78 acres</u>		
(1) Coal Mountain Mining Company, LLP Tract 26 (1,355.00 Acre Tract) P.O. Box 675 Tazewell, VA 24651	804.78 acres	54.5773%

Exhibit D
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Docket #VGOB 11-0215-2911
List of Leased/Owned Interest being Voluntarily Pooled (not afforded an additional election)
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
I. COAL OWNERSHIP		
<u>Tract #1, 1.26 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (81.60 Acre Tract)	1.26 acres	0.0854%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns (1/2 of all Coal)	0.63 acres 1/2 of 1.26 acres	0.0427%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	0.55 acres 13/30 of 1.26 acres	0.0370%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.06 acres 1/20 of 1.26 acres	0.0043%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.02 acres 1/60 of 1.26 acres	0.0014%
*** Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:		
The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	0.63 acres 1/2 of 1.26 acres	0.0427%
(c) Ronald Clyborne (1/2 Coal Above Jawbone Seam) *** 9325 Olympic View Drive Edmonds, WA 98020-2397		
*** NOTE: The coal above the Jawbone seam is above drainage and is not a part of the Sealed Gob Unit and therefore is of No Issue.		
<u>Tract #2, 33.66 acres</u>		
(1) Robert J. Dennis, et al W. Clyde Dennis & Bessie B. Dennis Tract (114 Acre Tract)	33.66 acres	2.2827%
(a) Robert J. Dennis 23007 Kestrel Drive Bristol, VA 24202	16.83 acres 1/2 of 33.66 acres	1.1413%
(b) William Burns Dennis 1810 NE 41st. Street Oakland Park, FL 33308-5538	16.83 acres 1/2 of 33.66 acres	1.1413%

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(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #3, 71.77 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (111 Acre Tract)	71.77 acres	4.8672%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns (1/2 of all Coal)	35.885 acres 1/2 of 71.77 acres	2.4336%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	31.100 acres 13/30 of 71.77 acres	2.1091%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	3.589 acres 1/20 of 71.77 acres	0.2434%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	1.196 acres 1/60 of 71.77 acres	0.0811%
*** <u>Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u> The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	35.885 acres 1/2 of 71.77 acres	2.4336%
(c) Ronald Clyborne (1/2 Coal Above Jawbone Seam) *** 9325 Olympic View Drive Edmonds, WA 98020-2397		
*** NOTE: The coal above the Jawbone seam is above drainage and is not a part of the Sealed Gob Unit and therefore is of No Issue.		
<u>Tract #4, 2.96 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns (3 Acre Tract)	2.96 acres	0.2007%
(a) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	2.565 acres 13/15 of 2.96 acres	0.1740%

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(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
(b) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.296 acres 1/10 of 2.96 acres	0.0201%
(c) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.099 acres 1/30 of 2.96 acres	0.0067%
*** <u>Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u> The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
<u>Tract #5, 15.55 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (76.40 Acre Tract)	15.55 acres	1.0545%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns (1/2 of all Coal)	7.775 acres 1/2 of 15.55 acres	0.5273%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	6.738 acres 13/30 of 15.55 acres	0.4570%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.778 acres 1/20 of 15.55 acres	0.0527%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.259 acres 1/60 of 15.55 acres	0.0176%
*** <u>Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u> The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	7.775 acres 1/2 of 15.55 acres	0.5273%

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(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
(c) Ronald Clyborne (1/2 Coal Above Jawbone Seam) *** 9325 Olympic View Drive Edmonds, WA 98020-2397		
*** NOTE: The coal above the Jawbone seam is above drainage and is not a part of the Sealed Gob Unit and therefore is of No Issue.		
<u>Tract #6, 95.81 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (91.00 Acre Tract)	95.81 acres	6.4975%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns (1/2 of all Coal)	47.905 acres 1/2 of 95.81 acres	3.2487%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	41.518 acres 13/30 of 95.81 acres	2.8156%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	4.791 acres 1/20 of 95.81 acres	0.3249%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	1.597 acres 1/60 of 95.81 acres	0.1083%
*** <u>Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u> The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	47.905 acres 1/2 of 95.81 acres	3.2487%
(c) Ronald Clyborne (1/2 Coal Above Jawbone Seam) *** 9325 Olympic View Drive Edmonds, WA 98020-2397		
*** NOTE: The coal above the Jawbone seam is above drainage and is not a part of the Sealed Gob Unit and therefore is of No Issue.		
<u>Tract #7, 204.68 acres</u>		
(1) Coal Mountain Mining Company, LLP Tract 27 (1,140.00 Acre Tract) P.O. Box 675 Tazewell, VA 24651	204.68 acres	13.8807%

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	Acres in Unit	Interest in Unit
<u>Tract #8 - 2.74 Acres</u>		
(1) Consolidation Coal Company (3 Acre Tract) 10545 Riverside Dr. Oakwood, VA 24631	2.74 acres	0.1858%
<u>Tract #9, 25.20 acres</u>		
(1) Commonwealth Coal Company Tract 2 (965.00 Acre Tract) P.O. Box 1269 Bristol, VA 24203	25.20 acres	1.7090%
<u>Tract #10, 2.35 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (18 Acre Tract)	2.35 acres	0.1594%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns (1/2 of all Coal)	1.175 acres 1/2 of 2.35 acres	0.0797%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	1.018 acres 13/30 of 2.35 acres	0.0691%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.118 acres 1/20 of 2.35 acres	0.0080%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.039 acres 1/60 of 2.35 acres	0.0027%
<u>*** Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u>		
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(b) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	1.175 acres 1/2 of 2.35 acres	0.0797%
(c) Ronald Clyborne (1/2 Coal Above Jawbone Seam) *** 9325 Olympic View Drive Edmonds, WA 98020-2397		

*** NOTE: The coal above the Jawbone seam is above drainage and is not a part of the Sealed Gob Unit and therefore is of No Issue.

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(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract 11, 2.24 acres</u>		
(1) R. O. Vandyke Heirs, et al. (154 Acre Tract)	2.24 acres	0.1519%
(a) R. O. Vandyke Heirs		
(a.1) Edward Ralph Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	0.19 acres 1/12 of 2.24 acres	0.0127%
(a.2) William H. Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	0.19 acres 1/12 of 2.24 acres	0.0127%
(a.3) Claude H. Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	0.19 acres 1/12 of 2.24 acres	0.0127%
(a.4) Mary Elizabeth Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	0.19 acres 1/12 of 2.24 acres	0.0127%
(a.5) Virginia May Vandyke Kinney <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	0.19 acres 1/12 of 2.24 acres	0.0127%
(a.6) Rufus Oscar Vandyke, Jr. <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	0.19 acres 1/12 of 2.24 acres	0.0127%
(b) First Community Bank - Trustee <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	1.12 acres 1/2 of 2.24 acres	0.0760%
<u>Royalty Payments are to be paid to:</u> R. O. Vandyke Estate c/o Edward R. Vandyke P. O. Box 29 Tazewell, VA 24651		
<u>Tract #12, 9.72 acres</u>		
(1) Carl Metcalf Heirs, Devisees, Successors or Assigns <i>Tract 415 (38 Acre Tract)</i>		
(a) Ann C. Dobrenz Heirs, Devisees, Successors or Assigns ***		
(a.1) Dennis G. Dobrenz ***	9.72 acres	0.6592%
<u>*** Per 4/05/02 Agreement all Notices and Royalty Payments are to go to:</u> The Carl Metcalf Estate c/o J. C. Franks 621 Peavler Street Marion, VA 24641		

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	Acres in Unit	Interest in Unit
<u>Tract #13, 96.39 acres</u>		
(1) R. O. Vandyke Heirs, et al. (126.20 Acre Tract)	96.39 acres	6.5368%
(a) R. O. Vandyke Heirs		
(a.1) Edward Ralph Vandyke Per Lease all payments are to go to R.O. Vandyke Estate	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.2) William H. Vandyke Per Lease all payments are to go to R.O. Vandyke Estate	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.3) Claude H. Vandyke Per Lease all payments are to go to R.O. Vandyke Estate	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.4) Mary Elizabeth Vandyke Per Lease all payments are to go to R.O. Vandyke Estate	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.5) Virginia May Vandyke Kinney Per Lease all payments are to go to R.O. Vandyke Estate	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.6) Rufus Oscar Vandyke, Jr. Per Lease all payments are to go to R.O. Vandyke Estate	8.03 acres 1/12 of 96.39 acres	0.5447%
(b) First Community Bank - Trustee Per Lease all payments are to go to R.O. Vandyke Estate	48.20 acres 1/2 of 96.39 acres	3.2684%

Royalty Payments are to be paid to:

R. O. Vandyke Estate
 c/o Edward R. Vandyke
 P. O. Box 29
 Tazewell, VA 24651

Tract #14 - 78.43 acres

- (1) Carl Metcalf Heirs, Devisees, Successors or Assigns
 Tract 414 (87.00 Acre Tract)
- (a) Ann C. Dobrenz Heirs, Devisees, Successors or Assigns ***
- (a.1) Dennis G. Dobrenz ***

78.43 acres 5.3188%

***** Per 4/05/02 Agreement all Notices and Royalty Payments are to go to:**

The Carl Metcalf Estate
 c/o J. C. Franks
 621 Peavler Street
 Marion, VA 24641

Exhibit D
Buchanan No.1 SGU #3
Docket #VGOB 11-0215-2911
List of Leased/Owned Interest being Voluntarily Pooled (not afforded an additional election)
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #15 - 3.83 Acres</u>		
(1) Consolidation Coal Company 10545 Riverside Dr. Oakwood, VA 24631	3.83 acres	0.2598%
<u>Tract #16A, 21.25 acres</u>		
(1) James M. McGuire Trust (460.57 acre tract) P.O. Box 1067 Bluefield, VA 24605	21.25 acres	1.4411%
<u>Tract #16B, 1.37 acres</u>		
(1) James M. McGuire Trust (460.57 acre tract) P.O. Box 1067 Bluefield, VA 24605	1.37 acres	0.0929%
<u>Tract #16C, 0.58 acres</u>		
(1) James M. McGuire Trust (460.57 acre tract) P.O. Box 1067 Bluefield, VA 24605	0.58 acres	0.0393%
<u>Tract #17, 804.78 acres</u>		
(1) Coal Mountain Mining Company, LLP Tract 26 (1,355.00 Acre Tract) P.O. Box 675 Tazewell, VA 24651	804.78 acres	54.5773%
II. <u>OIL & GAS OWNERSHIP</u>		#REF!
<u>Tract #1, 1.26 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (81.60 Acre Tract)	1.26 acres	0.0854%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns	0.63 acres 1/2 of 1.26 acres	0.0427%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	0.546 acres 13/30 of 1.26 acres	0.0370%

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Docket #VGOB 11-0215-2911
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(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.063 acres 1/20 of 1.26 acres	0.0043%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.021 acres 1/60 of 1.26 acres	0.0014%
*** <u>Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u> The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Ronald Clyborne 9325 Olympic View Drive Edmonds, WA 98020-2397	0.63 acres 1/2 of 1.26 acres	0.0427%
<u>Tract #2, 33.66 acres</u>		
(1) Robert J. Dennis, et al W. Clyde Dennis & Bessie B. Dennis Tract (114 Acre Tract)	33.66 acres	2.2827%
(a) Robert J. Dennis 23007 Kestrel Drive Bristol, VA 24202	16.83 acres 1/2 of 33.66 acres	1.1413%
(b) William Burns Dennis 1810 NE 41st. Street Oakland Park, FL 33308-5538	16.83 acres 1/2 of 33.66 acres	1.1413%
<u>Tract #3, 71.77 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (111 Acre Tract)	71.77 acres	4.8672%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns	35.885 acres 1/2 of 71.77 acres	2.4336%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	31.100 acres 13/30 of 71.77 acres	2.1091%

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Docket #VGOB 11-0215-2911
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(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	3.589 acres 1/20 of 71.77 acres	0.2434%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	1.196 acres 1/60 of 71.77 acres	0.0811%
*** <u>Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u> The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Ronald Clyborne 9325 Olympic View Drive Edmonds, WA 98020-2397	35.885 acres 1/2 of 71.77 acres	2.4336%
<u>Tract #4, 2.96 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns (3 Acre Tract)	2.96 acres	0.2007%
(a) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	2.565 acres 13/15 of 2.96 acres	0.1740%
(b) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.296 acres 1/10 of 2.96 acres	0.0201%
(c) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.099 acres 1/30 of 2.96 acres	0.0067%
*** <u>Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u> The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
<u>Tract #5, 15.55 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (76.40 Acre Tract)	15.55 acres	1.0545%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns	7.775 acres 1/2 of 15.55 acres	0.5273%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	6.738 acres 13/30 of 15.55 acres	0.4570%

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	Acres in Unit	Interest in Unit
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.778 acres 1/20 of 15.55 acres	0.0527%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.259 acres 1/60 of 15.55 acres	0.0176%
*** <u>Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u> The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Ronald Clyborne 9325 Olympic View Drive Edmonds, WA 98020-2397	7.775 acres 1/2 of 15.55 acres	0.5273%
<u>Tract #6, 95.81 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (91.00 Acre Tract)	95.81 acres	6.4975%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns	47.905 acres 1/2 of 95.81 acres	3.2487%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	41.518 acres 13/30 of 95.81 acres	2.8156%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	4.791 acres 1/20 of 95.81 acres	0.3249%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	1.597 acres 1/60 of 95.81 acres	0.1083%
*** <u>Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u> The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Ronald Clyborne 9325 Olympic View Drive Edmonds, WA 98020-2397	47.905 acres 1/2 of 95.81 acres	3.2487%

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(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #7, 204.68 acres</u>		
(1) Coal Mountain Mining Company, LLP Tract 27 (1,140.00 Acre Tract) P.O. Box 675 Tazewell, VA 24651	204.68 acres	13.8807%
<u>Tract #8 - 2.74 Acres</u>		
(1) CNX Gas Company LLC (3 Acre Tract) 1000 Consol Energy Drive Canonsburg, PA 15317	2.74 acres	0.1858%
<u>Tract #9, 25.20 acres</u>		
(1) Commonwealth Coal Company Tract 2 (965.00 Acre Tract) P.O. Box 1269 Bristol, VA 24203	25.20 acres	1.7090%
<u>Tract #10, 2.35 acres</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (18 Acre Tract)	2.35 acres	0.1594%
(a) J. H. Franks Heirs, Devisees, Successors or Assigns	1.175 acres 1/2 of 2.35 acres	0.0797%
(a.1) J. C. Franks, et al. *** J. C. Franks - POA 621 Peavler Street Marion, VA 24641	1.018 acres 13/30 of 2.35 acres	0.0691%
(a.2) Intermont Land Company *** P.O. Box 2288 Abingdon, VA 24212-2288	0.118 acres 1/20 of 2.35 acres	0.0080%
(a.3) T. J. Bondurant *** 181 Northwoods Lane Salem, VA 24153	0.039 acres 1/60 of 2.35 acres	0.0027%
<u>*** Per 3/28/80 Agreement all Notices and Royalty Payments are to go to:</u>		
The JH Franks Estate c/o J. C. Franks, Agent 621 Peavler Street Marion, VA 24641		
(b) Ronald Clyborne 9325 Olympic View Drive Edmonds, WA 98020-2397	1.175 acres 1/2 of 2.35 acres	0.0797%

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 List of Leased/Owned Interest being Voluntarily Pooled (not afforded an additional election)
 (1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #11, 2.24 acres</u>		
(1) R. O. Vandyke Heirs, et al. (154 Acre Tract)	2.24 acres	0.1519%
(a) R. O. Vandyke Heirs		
(a.1) Edward Ralph Vandyke Per Lease all payments are to go to R.O. Vandyke Estate	0.19 acres 1/12 of 2.24 acres	0.0127%
(a.2) William H. Vandyke Per Lease all payments are to go to R.O. Vandyke Estate	0.19 acres 1/12 of 2.24 acres	0.0127%
(a.3) Claude H. Vandyke Per Lease all payments are to go to R.O. Vandyke Estate	0.19 acres 1/12 of 2.24 acres	0.0127%
(a.4) Mary Elizabeth Vandyke Per Lease all payments are to go to R.O. Vandyke Estate	0.19 acres 1/12 of 2.24 acres	0.0127%
(a.5) Virginia May Vandyke Kinney Per Lease all payments are to go to R.O. Vandyke Estate	0.19 acres 1/12 of 2.24 acres	0.0127%
(a.6) Rufus Oscar Vandyke, Jr. Per Lease all payments are to go to R.O. Vandyke Estate	0.19 acres 1/12 of 2.24 acres	0.0127%
(b) First Community Bank - Trustee Per Lease all payments are to go to R.O. Vandyke Estate	1.12 acres 1/2 of 2.24 acres	0.0760%
<u>Royalty Payments are to be paid to:</u>		
R. O. Vandyke Estate c/o Edward R. Vandyke P. O. Box 29 Tazewell, VA 24651		
<u>Tract #12, 9.72 acres</u>		
(1) Carl Metcalf Heirs, Devisees, Successors or Assigns Tract 415 (38 Acre Tract)		
(a) Ann C. Dobrenz Heirs, Devisees, Successors or Assigns ***		
(a.1) Dennis G. Dobrenz ***	9.72 acres	0.6592%
<u>*** Per 4/05/02 Agreement all Notices and Royalty Payments are to go to:</u>		
The Carl Metcalf Estate c/o J. C. Franks 621 Peavler Street Marion, VA 24641		

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 (1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #13, 96.39 acres</u>		
(1) R. O. Vandyke Heirs, et al. (126.20 Acre Tract)	96.39 acres	6.5368%
(a) R. O. Vandyke Heirs		
(a.1) Edward Ralph Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.2) William H. Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.3) Claude H. Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.4) Mary Elizabeth Vandyke <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.5) Virginia May Vandyke Kinney <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(a.6) Rufus Oscar Vandyke, Jr. <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	8.03 acres 1/12 of 96.39 acres	0.5447%
(b) First Community Bank - Trustee <i>Per Lease all payments are to go to R.O. Vandyke Estate</i>	48.20 acres 1/2 of 96.39 acres	3.2684%
<u>Royalty Payments are to be paid to:</u> R. O. Vandyke Estate c/o Edward R. Vandyke P. O. Box 29 Tazewell, VA 24651		
<u>Tract #14 - 78.43 acres</u>		
(1) Carl Metcalf Heirs, Devisees, Successors or Assigns <i>Tract 414 (87.00 Acre Tract)</i>		
(a) Ann C. Dobrenz Heirs, Devisees, Successors or Assigns ***		
(a.1) Dennis G. Dobrenz ***	78.43 acres	5.3188%

*** **Per 4/05/02 Agreement all Notices and Royalty Payments are to go to:**
 The Carl Metcalf Estate
 c/o J. C. Franks
 621 Peavler Street
 Marion, VA 24641

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(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #15 - 3.83 Acres</u>		
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	3.83 acres	0.2598%
<u>Tract #16A, 21.25 acres</u>		
(1) W. B. McDonald, et ux. Heirs, Devisees, Successors or Assigns	21.25 acres	1.4411%
(a) Linda Meledge Estridge 969 Ridgedale Road Saltville, VA 24370	10.625 acres 1/2 of 21.25 acres	0.7205%
<u>Tract #16B, 1.37 acres</u>		
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	1.37 acres	0.0929%
<u>Tract #16C, 0.58 acres</u>		
(1) Norfolk Southern Railway Company	0.58 acres	0.0393%
<i>If no conflict royalties paid to:</i> Pocahontas Land Corporation Treasurer, Pocahontas Land Corporation P. O. Box 1517 Bluefield, WV 24701		
<u>Tract #17, 804.78 acres</u>		
(1) Coal Mountain Mining Company, LLP Tract 26 (1,355.00 Acre Tract) P.O. Box 675 Tazewell, VA 24651	804.78 acres	54.5773%

Exhibit EE
Buchanan No.1 SGU #3
Docket #VGOB 11-0215-2911
List of Conflicting Owners/Claimants with Royalty Split Agreements
(1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1, 1.26 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (81.60 Acre Tract)	1.26 acres	0.0854%
(b) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	0.63 acres 1/2 of 1.26 acres	0.0427%
<u>OIL & GAS OWNERSHIP</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (81.60 Acre Tract)	1.26 acres	0.0854%
(b) Ronald Clyborne 9325 Olympic View Drive Edmonds, WA 98020-2397	0.63 acres 1/2 of 1.26 acres	0.0427%
<u>Tract #3, 71.77 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (111 Acre Tract)	71.77 acres	4.8672%
(b) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	35.885 acres 1/2 of 71.77 acres	2.4336%
<u>OIL & GAS OWNERSHIP</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (111 Acre Tract)	71.77 acres	4.8672%
(b) Ronald Clyborne 9325 Olympic View Drive Edmonds, WA 98020-2397	35.885 acres 1/2 of 71.77 acres	2.4336%
<u>Tract #5, 15.55 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (76.40 Acre Tract)	15.55 acres	1.0545%
(b) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	7.775 acres 1/2 of 15.55 acres	0.5273%

Exhibit EE
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 List of Conflicting Owners/Claimants with Royalty Split Agreements
 (1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (76.40 Acre Tract)	15.55 acres	1.0545%
(b) Ronald Clyborne 9325 Olympic View Drive Edmonds, WA 98020-2397	7.775 acres 1/2 of 15.55 acres	0.5273%
<u>Tract #6, 95.81 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (91.00 Acre Tract)	95.81 acres	6.4975%
(b) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	47.905 acres 1/2 of 95.81 acres	3.2487%
<u>OIL & GAS OWNERSHIP</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (91.00 Acre Tract)	95.81 acres	6.4975%
(b) Ronald Clyborne 9325 Olympic View Drive Edmonds, WA 98020-2397	47.905 acres 1/2 of 95.81 acres	3.2487%
<u>Tract #10, 2.35 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (18 Acre Tract)	2.35 acres	0.1594%
(b) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	1.175 acres 1/2 of 2.35 acres	0.0797%
<u>OIL & GAS OWNERSHIP</u>		
(1) J. H. Franks Heirs, Devisees, Successors or Assigns, et al. (18 Acre Tract)	2.35 acres	0.1594%
(b) Ronald Clyborne 9325 Olympic View Drive Edmonds, WA 98020-2397	1.175 acres 1/2 of 2.35 acres	0.0797%

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 List of Conflicting Owners/Claimants with Royalty Split Agreements
 (1,474.57 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #16A, 21.25 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) James M. McGuire Trust (460.57 acre tract) P.O. Box 1067 Bluefield, VA 24605	21.25 acres	1.4411%
<u>OIL & GAS OWNERSHIP</u>		
(1) W. B. McDonald, et ux. Heirs, Devisees, Successors or Assigns	21.25 acres	1.4411%
(a) Linda Meledge Estridge 969 Ridgedale Road Saltville, VA 24370	10.625 acres 1/2 of 21.25 acres	0.7205%
<u>Tract #16B, 1.37 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) James M. McGuire Trust (460.57 acre tract) P.O. Box 1067 Bluefield, VA 24605	1.37 acres	0.0929%
<u>OIL & GAS OWNERSHIP</u>		
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	1.37 acres	0.0929%